

PLANNING AND ZONING COMMISSION
Monday, May 10, 2010 – MINUTES – Regular Session

Call to Order: Time In: 7:00 p.m.

The Planning and Zoning Commission of the Village of Canal Winchester met on the above date for a regular session and was called to order by Mr. Christensen.

Roll Call

Present: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Knowlton, Dr. Konold, Ms. Solomon and Mr. Vasko.

Approval of Minutes

Dr. Konold made a motion to approve the minutes of the April 12, 2010 regular commission meeting. Mr. Knowlton seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Dr. Konold, Mr. Knowlton and Mr. Vasko

NAYS:

ASTAIN: Ms. Solomon

The motion carried.

Public Comment - None

Pending Cases

Item 1. Variance #VA-10-01

Property owner TKT LLC and applicant Debbie Long, representing Sud Slingers, for property located at 729 Winchester Pike, requested two variances. The first variance was to Section 1189.05(e) to allow for a 120.62 square foot freestanding sign, eleven feet in height, located eight feet from the right-of-way. The second variance was to Section 1189.06(e) to allow for an electronic variable message display. Andrew Dutton, Zoning Officer, gave the staff report.

Debbie Long and Kevin Diley, were present to answer questions from the commission. Ms. Long verified that the sign is a total of eleven feet tall.

Dr. Konold asked how married the applicants were to the digital part of the sign. Ms. Long stated that they want the sign to be able to communicate with customers.

Mr. Knowlton asked how the applicant decided on eleven feet for the height of the sign. Ms. Long stated that they wanted the sign to be high enough so that the cars parked in the lot did not block it.

Mr. Vasko said that it appeared in the submitted drawing that the sign could be moved eight feet back further from the right-of-way and still be in the landscape area. Mr. Diley stated that if the sign was moved back it would not be seen and would create a visual impairment for drivers coming out of the car

wash. Mr. Diley also stated that he was afraid a car might hit a sign moved back in the island as there was already a landscaping rock removed from the island because a car hit it.

Mr. Vasko commented that the application is in violation of four sign regulations. He asked if there a way to get the sign a little further from the right-of-way. Ms. Long stated that with cars parked, you would not be able to see the sign if it was moved further back.

Gene Hollins, Village Solicitor, asked if there was any information received from ODOT about expanding Gender Road. Mayor Ebert said that nothing is definite regarding widening Gender Road, though there have been numerous discussion about widening the road and adding a center turn lane. Dr. Konold asked if there was a chance they would have to move the sign if the road was expanded. Mr. Hollins said that would be a possibility.

Mr. Abbott said he would be okay with the sign without the message board. Ms. Solomon agreed with Mr. Abbott's statement.

Mr. Diley said the electronic message board would not be not a ticker sign, as a message would be posted for a while.

Ms. Long asked if any kind of message board is allowed. Dr. Konold said message signs cannot be lighted.

Mr. Graber stated that he was okay with the setback but not the size, height or the message board. He continued that he still had concerns and would be inclined to not approve the request.

Ms. Long stated that there are already digital display signs in the village at the High School. Mr. Dutton explained that schools are an exception to the rule as stated in the Zoning Code.

Mr. Knowlton suggested that the applicant should take the message board out completely, which would reduce the height of the sign by two feet.

Dr. Konold said he did not have a problem with the size and location of the sign, but with the potential danger of the digital distraction.

Mr. Graber stated that he is still concerned with the height.

Mr. Christensen opened the public hearing. There was none.

Mr. Graber made a motion to close the public hearing. Mr. Knowlton seconded the motion.

VOTE:	AYES:	Mr. Abbott, Mr. Christensen, Mr. Graber, Dr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko
	NAYS:	
		The motion carried.

Mr. Christensen asked if the application should be tabled for a new drawing to be submitted. Mr. Graber stated that if they are only going to change the digital message portion of the sign to static message board, then the commission should just put the change into a motion.

Mr. Vasko stated he would make two separate motions for application #VA-10-01. The first motion was for approval of VA-10-01(a) for the height, square footage and location of the sign as presented. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Mr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

NAYS:

The motion carried.

Mr. Vasko made second motion to approve application #VA-10-01(b) for the electronic variable sign display as presented. Mr. Knowlton seconded the motion.

VOTE: AYES:

NAYS: Mr. Abbott, Mr. Christensen, Mr. Graber. Mr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

The motion failed.

Item 2. Variance #VA-10-02 and Site Development Plan #SDP-10-02

Property owner Park Realty of Ohio and applicant Eric Park, representing Goddard School, for property located at 6405 Canal Street, requested a variance to Section 1165.02(d)(2) to allow for an outdoor play area less than the required 85 square feet per child and Site Development Plan approval for a 2,240 square foot rear addition. Mr. Dutton gave the staff report. Eric Park, representing Goddard School and architect Chris Vallette, were present to answer questions from the commission.

Mr. Vasko inquired as to how many students would be added with the new addition. Mr. Park stated twenty additional students would be added for the proposed addition.

Mr. Park said that the addition would give the Goddard School use of a gross motor room year round. He added that one side of the addition would be used before and after school while the other side would be used for classes such as yoga, karate etc. He also stated that he attempted to buy an additional piece of land from TS Trim, but received no phone call back.

Mr. Graber asked if there is a second floor in the addition. Mr. Park said there is no second floor, though the roof is raised to allow for the gym.

Mr. Vasko asked if the peak of the proposed addition would be taller than the existing structure. Mr. Vallette said that it will be a pitched roof.

Mr. Vasko asked if the applicant would consider faux windows to break up the blank wall facing Gender Road. Mr. Vallette stated that they added an exterior accent band with different color brick. He further stated that the proposed exterior material was concrete block that looks like brick. Mr. Knowlton agreed that something was needed to dress up the exterior of the addition.

Mr. Vasko asked the commission if they would like the applicants to come back with the finalized look of the building.

Mr. Park stated that the Goddard school was on a timeline and were trying to get open before the school year starts in September. He continued that due to timeline restrictions, he would prefer not to wait another month.

Mr. Hollins stated that the application could be approve subject to the applicant returning with elevations and facade details next month.

Mr. Christensen opened the public hearing. There was none.

Mr. Vasko made a motion to close the public hearing. Ms. Solomon seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Dr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

NAYS:
The motion carried.

Mr. Vasko made a motion to approve application #VA-10-02 as presented. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber. Mr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

NAYS:
The motion carried.

Mr. Vasko made a motion to approve application #SDP-10-02 as presented with the condition that the applicant returns to the next month's Planning and Zoning Commission meeting with updated drawings illustrating the reduction of eve height to fourteen feet and exterior aesthetic changes to be approved by the commission. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber. Mr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

NAYS:
The motion carried.

Item 2. Conditional Use #CU-10-01 and Site Development Plan #SDP-10-01

Property owner Waterloo Crossing and applicant Todd Mosher of Greenberg Farrow, representing Discount Tire, for property parcel number 184-002664 located on Gender Road between Burger King and Chase Bank, requested a Conditional Use to allow for the sale and mounting of wheels and tires in the General Commercial zoning district and Site Development Plan approval for a 6,947 square foot Discount Tire. Mr. Dutton gave the staff report. Todd Mosher of Greenberg Farrow and Rich Sommer and Ron Archer, of Discount Tire, were present to answer questions from the commission.

Mr. Vasko asked if the applicant could expand their uses to other automotive services without coming back to the Planning and Zoning Commission. Mr. Dutton stated that the commission could put a condition in the motion to approve of the Conditional Use restricting uses to those currently proposed.

Mr. Sommer stated that he would not have a problem with the stipulation to restrict the expanding of services. He reiterated that Discount Tire only offers services for tires and wheels. Mr. Sommers then went into a history of the company.

Mr. Konold asked if the saturation of the market in this area for tire stores had been taken into account and inquired if Discount Tire did a market analysis. Mr. Sommer stated that Discount Tire is number one in the industry and therefore, they don't worry about the competition.

Mr. Knowlton asked about other Discount Tire stores in the area. Mr. Archer stated that there is one in Lancaster and one on Brice Road, next to Lowe's. Mr. Knowlton asked if the Brice Road store was going to stay open. Mr. Archer stated yes, it would remain open. Mr. Knowlton said the commission has been told before that a store on Brice Road would not close when a new store was constructed in Canal Winchester, however, as soon as the new store is built, the Brice Road store closed. Mr. Archer stated that other businesses have closed on Brice Road, but their business is something the community still needs. He continued that the Discount Tire on Brice Road is planning a remodel of the store.

Mr. Sommers went into some details of what Discounter Tires does for the community.

Mr. Christensen opened the public hearing. There was none.

Mr. Vasko made a motion to close the public hearing. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Dr. Konold, Mr. Knowlton, Ms. Solomon and Mr. Vasko

NAYS:

The motion carried.

Mr. Vasko stated that he did not believe that the proposed use was compatible with the area.

Mr. Christensen agreed and added that he did not believe the proposed location was right for the use.

Mr. Knowlton said that he did not believe the lot was big enough.

Mr. Vasko made a motion to approve Conditional Use application #CU-10-01 with the condition that the uses be limited to those set forth in a letter dated April 14, 2010 from Mr. Mosher which stated that no other automobile services would be provided other than tire and wheel sales, installations, and inspections. Mr. Abbott seconded the motion.

VOTE: AYES: Mr. Graber and Ms. Solomon
NAYS: Mr. Abbott, Mr. Christensen, Mr. Knowlton, Dr. Konold, Mr. Vasko

The motion failed.

Adjournment

Mr. Vasko made a motion to adjourn this regular meeting of the Planning and Zoning Commission. Mr. Graber seconded the motion.

VOTE: AYES: Mr. Abbott, Mr. Christensen, Mr. Graber, Dr. Konold, Mr. Knowlton, Ms.
 Solomon and Mr. Vasko
 NAYS:
 The motion carried.

Time Out: 8:31 p.m.

Date _____

Bill Christensen, Chairman

Jeff Graber, Secretary

NOTE: The minutes set forth herein are an extract of the Planning and Zoning Commission meeting. Anyone desiring a transcript of the complete minutes of the Planning and Zoning Commission meeting may obtain the same at a cost of \$10.00 per page.